

Non-Responsive

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From: Zobrist, Marcus

Sent: Wednesday, March 20, 2013 11:19 AM

To: Smith, DavidW; Stein, Mark; Webster, David

Cc: Sheth, Gary; Beasley, Chrystal; Hall, Jessica; Nagle, Deborah

Subject: FW: Report Out of Meeting with EIP/Earthjustice -- privileged&confidential

David, David and Mark,

Non-Responsive we did discuss the status of both **Non-Responsive** and Merrimack.

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R1: I said a final Merrimack permit in “2014.” They did not request a meeting on Merrimack. I did raise concerns to them about how Mt. Tom and Schiller have diverted R1 efforts from completing Merrimack, and told them that we feel that litigation which could result in those permits being prioritized ahead of Merrimack and other work serves no environmental positive outcome. Craig said he does not personally work on that case but he would take it back.

From: Hall, Jessica

Sent: Wednesday, March 20, 2013 11:50 AM

To: Wood, Robert; Matuszko, Jan; Jordan, Ronald; Levine, MaryEllen

Cc: Zobrist, Marcus; Beasley, Chrystal

Subject: Report Out of Meeting with EIP/Earthjustice -- privileged&confidential

Marcus and others from OWM and I just met with Jennifer Duggan (EIP) and Craig Segall (Sierra Club) to discuss EPA’s work on reviewing permits for steam electric power plants. They voiced concern that states are not developing technology-based limits on a Best Professional Judgment basis for toxic discharges from steam electric facilities, and EPA is not objecting to permits. They are especially worried about continued environmental harm from such discharges during the gap that might exist before any final steam electric ELG is actually implemented (as well as the potential for states to reissue permits without relevant limits before a final rule is promulgated in order to further extend implementation of any new requirements). They also expressed frustration at the delays in the rule development process. They believe that it might help push back on efforts to weaken the rule if more permits incorporated technology-based limits on a BPJ basis, like the Merrimack Station permit in Region 1, because then pollution control technologies could be shown to be available and economic achievable. **Non-Responsive**

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Jessica Hall

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